

Article - Family Law

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§5-4C-07.

(a) On receipt of an affidavit, the Administration shall:

(1) attempt to match registrants or to provide matching information;
and

(2) if a match is made, direct the child placement agency, if known, or the local department, if there is no known child placement agency, to notify the registrants through a confidential contact.

(b) (1) Except as otherwise provided in this subsection, a match is made when:

(i) an adoptee and the adoptee's natural mother and natural father register; or

(ii) 2 or more natural siblings register.

(2) A match is made when an adoptee and only 1 natural parent of the adoptee register if:

(i) notice of the filing of the petition for adoption or guardianship was given to the nonregistering parent and the parent did not participate in the judicial proceedings that terminated the parent-child relationship or declared the parent-child relationship was nonexistent;

(ii) an adoptee and the natural mother of the adoptee register and there is no known natural father;

(iii) the natural mother of the adoptee, or in the case of an agency adoption, the agency submits, or the Administration obtains from a court of competent jurisdiction in the state of the adoptee's birth or adoption, a copy of a judgment that declares that the identity of the natural father is unknown;

(iv) the Administration has information that indicates that the other natural parent is dead;

(v) notice of the filing of the petition for adoption or guardianship was not given to the nonregistering natural parent of the adoptee; or

(vi) 1 year has elapsed since the registering natural parent filed the affidavit and the nonregistering natural parent has not filed a notarized affidavit stating the nonregistering parent's refusal to permit the match.

(3) Matching information is provided:

(i) if both natural parents are deceased; and

(ii) if only an adoptee has registered.

(c) (1) In order to make a match or provide matching information, the Administration may inquire into the records of a child placement agency or court that issued an adoption or guardianship order.

(2) The court that issued the adoption order shall order that the Administration have access to court records on receipt of a petition from the Administration that states that review of the records is needed in order to make a match or to provide matching information under this section.

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